

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

JUSTAN DANIEL ADAMS,)
)
)
Plaintiff)
v.) 1:14-cv-00043-JAW
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)
STATE OF MAINE,)
)
)
Defendant)

RECOMMENDED DECISION

On February 3, 2014, Plaintiff Justan Daniel Adams filed a complaint naming the State of Maine as Defendant. (ECF No. 1.) As the Complaint was not accompanied by either payment of the filing fee or an Application to Proceed *in Forma Pauperis*, the Court issued an Order directing Plaintiff to pay the filing fee or file an Application to Proceed *In Forma Pauperis* by February 26, 2014. (ECF No. 2.) On March 3, 2014, Plaintiff filed an appropriate Application to Proceed *In Forma Pauperis* (ECF No. 6), which was granted on March 5, 2014 (ECF No. 7). In its Order of March 5, the Court ordered Plaintiff to notify the Court no later than March 26, 2014, of his intent to proceed with this action, acknowledging that he understood his obligation to pay the complete filing fee as the funds became available to him.

Through the Order, the Court informed Plaintiff that should he fail to fully comply with the Order, the Court would recommend that the action be dismissed. As of the date of this Recommended Decision, Plaintiff has failed to notify the Court of his intention to proceed.

Accordingly, it is recommended that the Complaint be **DISMISSED** due to Plaintiff's failure to prosecute this action.

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) (1993) for which *de novo* review by the district court is sought, together with a supporting memorandum, within fourteen (14) days of being served with a copy thereof. A responsive memorandum shall be filed within fourteen (14) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to *de novo* review by the district court and to appeal the district court's order.

March 31, 2014

/s/ John C. Nivison
U.S. Magistrate Judge